

REMARKS

Applicant wishes to thank the Examiner for pointing out the indefiniteness in Claims 2, 5, and 7. By the present Amendment, Applicant has amended Claim 1 to remove the second “means for connecting” and has replaced that language with “means for releasably attaching”. With respect to Claims 5 and 7, Applicant has added the word “extends” to these claims to clarify that “said hinge connector extends through said overlapping portions of said clamp segments”. By these amendments, Applicant respectfully submits that all claims are now in conformance with 35 U.S.C §112.

With respect to the rejection under the 35 U.S.C §102 of Claims 1 - 7, 10 and 16-19 as being anticipated by U.S. Patent No. 4,428,078 to Russo, Applicant has amended the claims to more clearly recite Applicant’s claimed invention in a manner which overcomes this rejection.

The ‘078 patent to Russo discloses an automobile body clamp wherein two sets of jaws are connected by corresponding flanges which permit adjustment to the spacing between the two sets of jaws to accommodate different sizes of rocker panels of a vehicle. Russo discloses a sliding attachment wherein the two sets of jaws can be slid closer or further away from each other. Thus, this connection permits a linear, sliding-type relative movement between the two sets of jaws. To the contrary, Applicant’s invention recited in Claims 1-7, 10 and 16-19, as now amended, clarifies that at least one of Applicant’s claimed jaws

comprises a plurality of relatively rotatable, selectively positionable clamp segments whereby said clamp segments can be rotatably positioned relative to each other to optimally conform to a non-linear portion of a vehicle. Thus, the type of relative movement between Applicant's claimed clamp segments, i.e., rotatable, is clearly different from that shown in Russo which is linear/slidable. Thus the rejection under §102 should be withdrawn.

With respect to the rejections under 35 U.S.C. §103 of Claims 8 and 9, Applicant respectfully submits that since Claims 8 and 9 are dependent upon allowable Claim 1, Claims 8 and 9 are now also allowable. Similarly, since Claims 11 -15 are dependent on Claim 1 which is now in allowable form, these claims are also allowable.

With respect to Claims 20-23, by the present amendment Applicant has clarified that the claimed non-linear jaws comprise **elongated, non-linear gripping portions**. None of the gripping portions disclosed in U.S. Patent No. 6,481,257 to Chartier comprise elongated, non-linear portions. Any of Chartier gripping portions which are elongated are linear. None of Chartier gripping portions are both elongated and non-linear. Therefore, Applicant respectfully submits that independent Claim 20, as amended and all claims dependent thereon, namely Claims 21-23, are also now in condition for allowance.

REQUEST FOR TELEPHONE INTERVIEW


Applicant respectfully requests a telephone interview between Applicant's attorney, Mr. Burke, and the Examiner at a time which is mutually convenient. Applicant respectfully requests that Examiner Tolan call Applicant's attorney after reviewing the present Amendment and Remarks to schedule a telephone interview.

CONCLUSION

Applicant respectfully submits that all pending claims are now in condition for allowance.

Respectfully submitted,

BRADLEY R. WESCHLER

A handwritten signature in dark ink, appearing to read "Daniel P. Burke", is written over a horizontal line.

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